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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,671	02/24/2004	Maryann V. Boudreau	JAM915	2321

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EXAMINER

ADAMS, GREGORY W

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p><i>Office Action Summary</i></p>	Application No.	Applicant(s)	
	10/784,671	BOUDREAU, MARYANN V.	
	Examiner	Art Unit	
	Gregory W. Adams	3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/24/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Ahedo, Jr. (US 2003/0156930).
3. With respect to claim 1, referring to FIGS. 1-5 Ahedo, Jr. discloses a wheelchair transportation device 10 comprising a housing 12 having a front end forming an entry 22, door 22 defining a ramp, hinge 84, 86, coupler 14, 100 mounted on a door 22 and a plurality of securing members 60, 90, 92.
4. With respect to claim 2, referring to FIGS. 1-5 Ahedo, Jr. discloses a housing top wall 12 which has an elevated portion 20, and a coupler 14, 100 includes an elastic band (shown below) attached to a door 22 and extending around an elevated portion 20.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahedo, Jr. (US 2003/0156930) as applied to claim 1 above, and further in view of Belnap et al. (US 5,273,335). Ahedo, Jr. does not disclose a door having a first or second panel. Belnap et al. discloses a door 20 having a first panel 25 which extends and retracts into a second panel 28, 32, 36. Belnap et al. teach that a door which doubles as an extendable/retractable ramp to handle all manner of loading weights eliminates the need for a separate ramp, reducing bulkiness. Col. 1, Ins. 5-29. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the door of Ahedo, Jr. to include a first panel which extends into a second panel, as per the teachings of Belnap et al., such that a door doubles as an extendable/retractable ramp to handle all manner of loading weights eliminates the need for a separate ramp, reducing bulkiness.
3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahedo, Jr. (US 2003/0156930) in view of Belnap et al. (US 5,273,335) as applied to claims 1-3 above, and further in view of Castilla (US 4,799,609). Ahedo, Jr. does not disclose securing members configured as elongated straps with hook attached to a vehicle. Referring to FIGS. 1-4 Castilla '609 discloses securing members 26, 33 including elongated strap 26, 33 having a pair of hooks 32, 28, 35, 37, a second hook 28, 37 which is coupled to a vehicle trunk 25, 30. Castilla teaches that elongated straps allow a transportation device to be easily attached and removed from the rear of a vehicle. Col. 1, Ins. 5-30. Therefore, it would have been obvious to one having

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ordinary skill in the art at the time the invention was made to securing members of Ahedo, Jr. to include elastic straps and hooks, the hooks attached to a vehicle, as per the teachings of Castilla, such that the transportation device may be easily attached and removed from a vehicle rear.

4. Claims 5 & 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahedo, Jr. (US 2003/0156930) as applied to claim 1 above, and further in view of Castilla (US 4,799,609). Ahedo, Jr. does not disclose securing members configured as elongated straps with hook attached to a vehicle. Referring to FIGS. 1-4 Castilla '609 discloses securing members 26, 33 including elongated strap 26, 33 having a pair of hooks 32, 28, 35, 37, a second hook 28, 37 which is coupled to a vehicle trunk 25, 30. Castilla teaches that elongated straps allow a transportation device to be easily attached and removed from the rear of a vehicle. Col. 1, Ins. 5-30.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to securing members of Ahedo, Jr. to include elastic straps and hooks, the hooks attached to a vehicle, as per the teachings of Castilla, such that the transportation device may be easily attached and removed from a vehicle rear.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahedo, Jr. (US 2003/0156930) in view of Belnap et al. (US 5,273,335) and Castilla (US 4,799,609).

Referring to FIGS. 1-5 Ahedo, Jr. discloses a wheelchair transportation device 10 comprising a housing 12 having a front end forming an entry 22, door 22 defining a

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ramp, hinge 84, 86, coupler 14, 100 mounted on a door 22, a plurality of securing members 60, 90, 92, a housing top wall 12 which has an elevated portion 20, and a coupler 14, 100 includes an elastic band attached to a door 22 and extending around an elevated portion 20.

Ahedo, Jr. does not disclose a door having a first or second panel. Belnap et al. discloses a door 20 having a first panel 25 which extends and retracts into a second panel 28, 32, 36. Belnap et al. teach that a door which doubles as an extendable/retractable ramp to handle all manner of loading weights eliminates the need for a separate ramp, reducing bulkiness. Col. 1, Ins. 5-29. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the door of Ahedo, Jr. to include a first panel which extends into a second panel, as per the teachings of Belnap et al., such that a door doubles as an extendable/retractable ramp to handle all manner of loading weights eliminates the need for a separate ramp, reducing bulkiness.

Ahedo, Jr. does not disclose securing members configured as elongated straps with hook attached to a vehicle. Referring to FIGS. 1-4 Castilla '609 discloses securing members 26, 33 including elongated strap 26, 33 having a pair of hooks 32, 28, 35, 37, a second hook 28, 37 which is coupled to a vehicle trunk 25, 30. Castilla teaches that elongated straps allow a transportation device to be easily attached and removed from the rear of a vehicle. Col. 1, Ins. 5-30. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to securing members of Ahedo, Jr. to include elastic straps and hooks, the hooks attached to a vehicle, as per

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the teachings of Castilla, such that the transportation device may be easily attached and removed from a vehicle rear.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 4,693,289 to Taylor et al.

US 4,936,409 to Nix et al.

US 5,769,593 to Buffaloe

US 5,199,842 to Watt et al.

US 6,036,012 to Haseltine et al.

US 6,705,624 to Cassoni

US 2003/0165376 to Bruno et al.

US 6,502,730 to Johnson

US 6,170,856 to Pena

US 6,216,867 to Haseltine et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory W. Adams whose telephone number is (703) 305-0555. The examiner can normally be reached on M-Th, 8:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (703) 308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GWA



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